

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Case No. 07-20411
HON. GEORGE CARAM STEEH

vs.

TONY JAMEL LEE, D-1,

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR
RECONSIDERATION (DOC. # 250)

Defendant Lee has moved for this court's reconsideration of the denial of his motion to reduce his sentence under 18 U.S.C. § 3582(c)(2). In his motion, he asserts that testimony of his co-defendant Hayes at Hayes's plea hearing (where it appears that Hayes admitted to fewer interactions with Lee than in his prior statements to law enforcement) reveals that the court's fact finding at his own sentencing was inaccurate. The court notes that the Lee sentencing transcript reflects its consideration of a variety of sources of information presented concerning Lee and Hayes's interaction, including Hayes's initial representations. Lee's motion for reconsideration does not persuade the court that it was misled by any error, let alone palpable error required for such a motion. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3).

Lee's motion for reconsideration is **DENIED**.

IT IS SO ORDERED.

Dated: October 8, 2013

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 8, 2013, by electronic and/or ordinary mail and also on Tony Jamel Lee #42176-039, FCI Ashland, P.O. Box 6001, Ashland, KY 41105

s/Barbara Radke

Deputy Clerk